

TEN THOUSAND A YEAR

BY SAMUEL WARREN

1807-1877

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Samuel Warren was an eminent London lawyer and one of the great "Ten Thousand a Year" men. In a cradle, then, so much of his knowledge that no one could read it without realizing that the common law practice is not so hard, after all, to understand.

Every law student would find it, but, though in this country and in fact, in England, the common law has been modified by statute, yet it is upon the basis of the common law that everything legal is built up.

Warren was in one of his introductory to one of the main editions of the story that he wrote the book "In a Grave and a Graveyard."

It has remained for over seventy years one of the English classics and though not so much read now as formerly, it is a popular work as well as a standing time in legal literature.

Wanted—Next of Kin.

Next of kin, an advertisement for a young man, Mr. Tittlebat Titmouse, clerk in the dry goods shop of Tarrag & Company, read this advertisement in the Sunday Flash, new visions inspired him, new hopes dawned upon him.

Mr. Titmouse was a young man, neither very witty nor very handsome. His chief endowments were a hearty abhorrence of work and a hearty delight in showy clothing.

He had also a tendency toward dissipation, but a salary of £2 a year did not allow him to indulge in this proclivity.

Mr. Titmouse went to see the solicitors mentioned in the advertisement. The firm was one of rather doubtful standing, reputable lawyers looked askance at them.

Mr. Tittlebat Titmouse.

The lawyers informed Mr. Tittlebat Titmouse that he was probably heir to an estate in Yorkshire—an estate which brought in a rental of £5000 a year.

Mr. Titmouse felt himself competent to the situation and considered that he was only coming into a position which his merits had long qualified him to fill.

Now the reason for the advertisement which had given Mr. Titmouse such a thrill was this: The estate of Yattton, in Yorkshire, had been occupied for ten years by Charles Aubrey, a member of Parliament, and a man who had only one life between himself and a peerage.

Mr. Aubrey was a man of learning, refinement and ability. When Mr. Aubrey married Agnes St. Clair, the daughter of an army officer who had been killed in the Napoleonic wars, he naturally told his solicitor, Mr. Parkinson, of the neighboring town of Griston, to draw up the settlements.

A Secret as Capital.

In the office of Mr. Parkinson there happened to be a clerk named Steagers—sharp and unscrupulous. This Steagers had the detail of the work of these settlements given him to do.

The fellow, in looking over the records of the family deeds, discovered a seeming flaw in the title of Charles Aubrey to the estate at Yattton.

He mentioned the fact to his employer, who mentioned it to Mr. Aubrey. Aubrey dismissed it from their minds as a matter of little importance—the estate had been held for three generations with the inheritance undisturbed.

Steagers made various notes of many professional secrets in charge of lawyer Parkinson, and among them was the secret of the cloud upon the title of the Yattton estate.

He absconded with money belonging to his employer and was arrested in London, where he employed Quirk, Gammon and Snap as his attorneys, and these attorneys took his ill-gotten money and his ill-gotten secrets from him before he was transported to the convict settlement of Botany Bay.

The Cloud on the Title.

The cloud upon the Yattton title was this: The estate had descended from one Tredclington, a cousin of the earl of that name, who was also Baron Tredclington. This ancestor had two sons, Henry and Charles.

Henry died childless and Charles, who succeeded to the property, died leaving two sons, Stephen and Geoffrey.

Stephen lived an idle and wandering life—a dissipated person—and was supposed to have died without issue.

Charles had one daughter, who married the father of Charles Aubrey and brought to her husband and left to her son the Yattton estate.

But had Stephen Tredclington died without issue? That was the point. If he had married and left descendants, then the Yattton title was void.

One Weak Point.

The Suffolk Hill firm upon coming into possession of this "cloud" went to work upon it.

They collected records, they used all the "old books" and known to them, and finally found out that Stephen had married some woman of low estate and he had left a daughter, who had married Gabriel Tittlebat Titmouse, the father of the young man who now looked forward to reclaiming the domains of a dry goods shop to the splendour of a great landed estate.

But there was one weak point in the case of Messrs. Quirk, Gammon and Snap. The honorable Tredclington, eldest son of the common ancestor, had conveyed his future rights in fee to a money lender to secure a heavy loan.

It was a "post mortem" and if he, Harry, had died before his father, was of no value.

Then it was suggested that Geoffrey Tredclington, the youngest son of Charles and the nephew of Harry, had got off the loan and that a conveyance had been made by the money lender.

A Very Pretty Case.

Well, it was a very pretty case for lawyers, such an one as my firm—reputable or disreputable—would rejoice to get a retainer in.

To make a long story short, legal proceedings were begun in behalf of Mr. Titmouse and were decided in behalf of the ex-heritor.

Mr. Aubrey might have appealed the case, but he was a man of most scrupulous honor, and refused to take advantage of all the wiles and turns of the law which he might have availed himself.

It was a sad day when the Aubreys were compelled to leave Yattton. Not only had Mr. Aubrey to give up the estate, but he was made liable for all the income received from it while it had been in unlawful possession—an amount of money which it was perfectly impossible for him to repay.

Lord of the Manor.

Mr. Tittlebat Titmouse thus became lord of the manor of Yattton, and that ancient and respectable building was turned into a resort for all the hangers-on and disreputable associates which the young man brought with him from London.

having come into his life—Mr. Aubrey determined to study law, and in the meantime he kept his family alive by writing for magazines and newspapers.

He had his wife, his sister, and two children to support. He might at any time be thrown into jail for the "miserable profits" of sixty years' incumbency of Yattton.

This amounted, under the statute of limitations, which, of course, reduced the amount, to about £5000.

In modern parlance, one could say that the estimable Mr. Aubrey was "up against it."

Mr. Gammon called upon Mr. Aubrey at his London lodgings. Mr. Aubrey received him cordially.

"Am I right?" asked Mr. Gammon, "in thinking that you received a letter from Mr. Quirk about the balance due on your account? I believe you have been paying something on the meagre profits—have you not?"

"I have, sir," replied Mr. Aubrey, "and I find it impossible to pay more at present."

"Dear me," said Gammon, "as it speaks to himself, 'cold, heartless, sordid.' I will tell you, Mr. Aubrey, that the clock has crossed the more mercenary Mr. Quirk gets. And he knew that I had

lament upon the Tory side. Mr. Gammon raised Mr. Titmouse to run upon the White side.

And he elected him by a most unscrupulous use of money. Money used to be used in elections in those days; it never is now, either in England or America.

Looking After the Family.

When Charles Aubrey was ousted from the possession of Yattton the new possessor, Mr. Tittlebat Titmouse, had there established his relationship with his lordship and his right, as an heir presumptive, to the Tredclington peerage.

The new man was a White; he was a bachelor. He was vulgar, to be sure, and was squandering the money. But, nevertheless, the noble earl invited him to dinner.

Family arrangements must be looked after. Lady Cecilia should marry with Mr. Titmouse.

Not a Happy Wedding.

Now Lady Cecilia was not of a very strong mind, but she recoiled at the prospect of the little Titmouse, though her father had told her, over and over again, of how much benefit it would be to the family should she marry with the new owner of Yattton.

The earl took his family on a visit to Yattton, and such pressure was

with consequences of unutterable and inevitable misery.

It is equally a principle of law and of common sense that people should be understood to have contemplated the consequences natural and necessary to their own acts even if done hastily. But by so much more if deliberately done.

When, therefore, they came to contemplate the consequences of those acts—let them not complain.

Placed Upon the "Boards."

This we will leave the happy pair at Yattton, where Mr. Titmouse was striving to spend his gloom a year—and everything else he could.

Meantime Mr. Gammon has made a great friend of the earl by straightening out some of his lordship's tangled business affairs.

Lord Tredclington fancied himself a great financier and aspired to be chairman of the exchequer.

His title as an earl was, of course, of marketable value—as Mr. Gammon says at once—and in return for the good offices the lawyer rendered him the noble earl allowed the money saved by his astute business manager to be put into stock companies wild in England, to allow the use of his name on various "boards."

Kate told what had passed between Gammon and herself to her brother, and Mr. Aubrey wrote to the lawyer that he must thereafter cease visiting the house.

But Kate forgot in her agitation the most important thing that Gammon had said to her. That was that he had it in his power to restore her brother to his estate.

A letter from Quirk, Gammon & Snap was soon received by Mr. Aubrey, requiring the payment of all of all the costs and the meagre profits at once.

Of course, this demand was impossible for Mr. Aubrey to comply with, and the result was that he was thrust into a debtors' prison, from which place of incarceration, however, a lawyer extricated him on bail.

To still further show his malice, when the will of Kate's aunt, Lady Stratton, came to be probated, by which will Kate had been left a legacy of £15000, the will having objected to the probate and applied for letters of administration to be issued in behalf of Titmouse as next of kin.

Lady Stratton had made the will, but had omitted to sign it.

Into the Ecclesiastical Courts.

Kate finally thought to mention to her brother the remark of Gammon that he had it in his power to restore the Yattton estate to Aubrey.

paper lying upon the table. He started and put on his spectacles to see if he had read aright. It was the grant of letters of administration to the estate of Yattton.

Mr. Gammon came in and caught the earl reading the document. Lord Tredclington demanded to know what the document meant, what was the cause of it? And Mr. Gammon told him that it was none of his business.

Finally he acknowledged that the earl's previous conduct was really a bankruptcy.

Added Sorrows.

The horrible manner in which the earl treated him made Gammon conclude to make to him a disclosure. "Innocent old fool," he thought to himself, "shall I really reprove him?"

Then the lawyer went on to say that in a couple of months he had begun to believe that Titmouse was the next of kin of the Yattton estate.

But, continued he, I have discovered that this man Titmouse, who is discovered behind the counter and who has married your daughter, is only a natural son—and worse still, he is a man who had a former husband living.

Lord Tredclington started from his chair and moved away from it as if afraid to go on. He was shortly afterwards in the room and the earl sat down to wait.

cross flustered he paused to let pass him a dusty post-horse and four. What was his surprise to see in it as it dashed past, Lord de la Zouche, whom he supposed already dead.

"What can this be?" he said to himself. "The letter Agnes had the other day from Lady de la Zouche did not say a word about Lord de la Zouche's intention of returning to England. Alone and in a post-chaise—evidently traveled all night from Dover. What can be the meaning of this?"

Aubrey thought at first that he would go to the house of Lord de la Zouche and find out what he concluded not to do so, but went on to London's Inn, where he was paid his legal studies.

The Impudent Cockney.

From when Gammon had said to Kate Aubrey, when giving his address upon their first meeting, that he had done some good work, but what?

"If you can only get four," said Runnington, "let me know all his witnesses now before we begin fighting in the dock."

"You see the secret of the litigation," Titmouse was as yet unknown to them. Kate knew, however, that her father would be asked to speak or write, and Gammon was not likely to make any more "breaks" upon that subject. He had had enough trouble for his line of action of ten years.

As for Titmouse, Lady Cecilia being dead and her child died with her—he felt and knew of the storm which was brewing long before he was asked to speak. Gammon had told him frankly that if all was discovered he would have to lose Yattton—perhaps as to jail for debt.

What does the impudent Cockney know to Mary Kate Aubrey? "Then I shall be able to say," thought he, "My wife's father will hardly turn me out of doors, even if he does find out who I really am."

The fellow was still a member of the House of Commons and from there he wrote to Kate a letter which afforded the young lady both amusement and indignation. A part of this letter ran as follows:

An Alliance Proposed.

"I don't think it is in dispute whether you respect me as a man or not. I am an owner of Yattton. You see, the law gave it to me once, and may give it to me again and no mistake, who knows in this uncertain world. Whatever turns up I don't let myself be assured that there is a big government job on the point which I can say no more at for now."

But supposing you and I, what say you if I should propose dividing the estate between him and me and setting all my half on you?"

And as to the title, which at present I am sorry to say I am next to, what say you to your brother and I looking up for it when it comes? His lordship is breaking, and I know who I'd like to see Lady Tredclington."

"They run it uncommon fine here, but ministers must be supported or the country will go to the devil dogs. Must close, begging an answer direct to me here."

Important News.

The Aubreys were on a visit to the country seat of Lord de la Zouche when Kate received this precious epistle. The lawyers of Parliament and the return of considerable merit at dinner.

It was a right cheerful party, that dinner party. The letter of Titmouse showed that he was aware of some defect in his title—some mystery of Gammon's.

"I hope, Kate," said Lord Delamere, "that you have not been giving this young gentleman encouragement."

Mr. Aubrey had been up to town and had returned with important news. Mr. Runnington is skillfully unraveling, said he, "one of the most monstrous instances of fraud that was ever woven by man. We sometimes imagine that Mr. Gammon must have had in view the securing of Yattton for himself."

A suit of indictment had been brought against Titmouse. There were various other legal machines set in motion—it is all set down in Mr. Warren's voluminous volumes.

Post His Power to Undo.

The day finally arrived for the report of the Probate Court—the Court of Probate. And Mr. Gammon knew that his plans were "blown," his indignities upon the verge of being a reality.

He even saw in the paper that he had absconded—a defaulter.

And he had been promised a judicial position of great value upon the dissolution of Parliament and the return of Tories to power—the Lord Chancellor himself had promised it—Mr. Gammon was a man of ability.

He wrote several letters that night. Then he walked up and down the room for a while.

He looked at the glass as he passed and scarcely recognized his own features. He was old, and he was a man of the universe to have undone what he had done.

Then he took a bottle from the mantelpiece and poured its contents into his mouth. He felt down at once—an instantaneous death.

He had taken all precautions to food those who should find him there, and when they came and found him there were unsummoned, and a coroner's jury had been called to sit upon the case, it was pronounced one of apoplexy or organic heart disease. "Died by the visitation of God," was the verdict.

Judgment by Default.

With the death of the architect fell the surprising fabric of crime and wrong, the rise and fall of which is commemorated in this history—a fabric which, if it rose like an exhalation, so fell like an exhalation.

Though Mr. Runnington's diligence and ability had set matters into such a train that, had Mr. Gammon lived to continue his most skillful opposition, he could not have delayed for any considerable length of time Mr. Aubrey's restoration to Yattton; yet the sudden death of Gammon greatly accelerated that event.

Notwithstanding the coroner's verdict, Aubrey and Runnington, and many others, strongly suspected the true state of the case. The death of the architect was a defeat and the dread of exposure, Mr. Gammon had destroyed himself.

Toward the close of the term, Mr. Runnington was called to the bar of the King's Bench to see if Titmouse had taken the proper steps to defend the indictment suit brought against him by Aubrey. He had not—in other words, he suffered judgment by default.

Baron Tredclington.

After some more legal red tape the Aubreys went back to take possession of their old home and Kate, of course, married Lord Delamere. Not long after the death of Lord Tredclington made Charles Aubrey, Baron Tredclington.

Mr. Tittlebat Titmouse went to the debtors' prison. But he lived there in comfort upon an annuity supplied him by the man whom he had wronged—Charles Aubrey, Lord Tredclington.

He started to write his memoirs while in prison—but never completed them.

He finally got his discharge and, being knocked down in a fight with a man who had once borrowed money from him and his head having struck a stone, he became insane and was confined in an asylum for the rest of his days.



MR. GAMMON DECIDED THAT HE WOULD MARRY MISS AUBREY HIMSELF.

arranged with you that you should not be pressed for the balance.

My sister partner has broken faith with me. I have nothing in common. I am almost disposed to dissolve partnership with him."

At Their Meeting.

"Mr. Gammon," replied Aubrey, "the letter to which you refer, the one written to Mr. Quirk demanding immediate payment has occasioned great distress to me and to my family."

"It is utterly out of my power to comply with its requirements, and it is really intended to be pressed—has been pressed and successfully conveyed his emotions—then all my little plans are forever frustrated—and I am at your mercy—to go to prison if you choose and there end my miserable life."

Gammon began trying to soothe the distracted man—making profuse professions of good service and good will.

He would see that the matter of the meagre profits was not pressed—he was distressed that the matter had distressed the ladies of Mr. Aubrey's household.

Might he personally assure the ladies that he would be no further action taken in the case?

His Remarks to the Ladies.

"Mr. Gammon," said Mr. Aubrey, after having for some minutes balanced the conflicting emotions in his mind, "there are only Mrs. Aubrey and my sister upstairs. I am sure they will be happy to see me return with the messenger of such good news as you bring."

"For, to tell the truth, the letter from Mr. Quirk reached me in their presence and we read it together. And were all dreadfully disturbed by its contents."

After a faint show of reluctance to trespass upon the ladies at so late an hour and so suddenly, Gammon accompanied Mr. Aubrey upstairs.

As soon as he entered the room Gammon showed diffidence, but he managed to turn his pale face upon Mrs. Aubrey, who turned pale as she felt those eyes upon her. In fact, Miss Aubrey was young, handsome and in every way charming.

Would Marry Her Himself.

Geoffrey Delamere, son and heir of Lord de la Zouche, one of the richest and most powerful of the kingdom, was her suitor. Mr. Gammon decided once and for all that he would marry Miss Aubrey himself.

He would not press the case of the meagre profits—he would get Titmouse a little more under his thumb. Perhaps, when he was married, he might restore the Aubreys to Yattton. He had the strings of the matter in his hands.

Geoffrey Delamere was to run for Parliament upon the Tory side.

brought to bear upon the Lady Cecilia that, at last, she consented to become the wife of Titmouse.

A very brilliant party attended the ceremony and the splendid wedding breakfast which followed at the earl's house in Grosvenor Square.

About 2 o'clock Lady Cecilia withdrew to prepare for her journey to Poppleton Hall—her father's residence in Hertfordshire—where the happy pair were to spend their honeymoon.

The unfortunate woman, with drooping head, allowed her father to lead her to Mr. Titmouse's traveling chariot—a most sandy one—which was in waiting.

When her father kissed and placed her in the vehicle she burst into a flood of tears.

In a Lady's Presence.

Titmouse, who had become lively with champagne, hardly seemed to notice the condition of his bride, but as the carriage rolled away muttered out:

"My dear, ain't it funny? You are really my wife. All my own pretty and We're man and wife, by Jove!"

He kissed her cold cheeks and then, when she said, "Don't I beg of you—I am not well, the Cockney felt that he was in the presence of a superior—a lady. He felt at once that he had no business there—sitting beside her."

"Hah! you better have your mind on it," he said, "I will sit on the box. That would make it a devilish deal more comfortable for you—eh?"

"O, I should feel so much obliged if you would, Mr. Titmouse," replied Cecilia. It was done as she wished.

But in time Mr. and Lady Cecilia Titmouse were "at home" at Yattton, whence her ladyship wrote to her most intimate friend, Lady Blanche Lewisham, letters in which she intimated strongly a desire for the speedy demise of her husband.

Wickedness and Its Punishment.

The Lady Cecilia from being a soft and obedient woman had, by reason of her marriage, the marriage which had been forced upon her, become what she was. She had committed an act of deliberate wickedness in marrying Titmouse and the natural result was following.

Whatever may be the accidental and ultimate advantages in respect to fortune or social position expected to be realized by a woman in forming a union with one who would otherwise be regarded with indifference or dislike, or disgust, she may rely upon it that she is committing an act of deliberate wickedness which will be attended, probably, all the rest of her life

Advancing His Suit.

Mr. Gammon had induced Titmouse to allow Mr. Aubrey to compromise in the matter of the meagre profits, and also in the matter of the costs of the suit, which had been decided against him, allowing that the said Mr. Aubrey could find sufficient security.

He found it—much to Mr. Gammon's disgust—in Lord de la Zouche. But these negotiations made it possible for Gammon to make frequent visits to the home of Mr. Aubrey, and he saw, as often as opportunity offered, Kate Aubrey.

One day, the two being alone, Gammon, carried away by infatuation, openly and clearly declared his love for that young lady. Kate Aubrey was astonished, frightened.

Rash Admissions.

"What do you mean, Mr. Gammon?" said Miss Aubrey, starting back from him. "We are, indeed, all deeply sensible of your kindness—of what you have done for us. But this language is painful to me."

"Do you know what I can do for your brother?" the lawyer asked.

"No, I know you have, apparently, done much for him."

"I have but one word more to say, madam," replied Gammon in a low, impassioned voice, evidently prepared to sink upon one knee and renew his formal offer of marriage.

"Resume your seat," said Kate, haughtily, "for I shall ring the bell and have you shown out of the house."

Gammon gazed at her with astonishment, and then said: "I obey you, madam. But before we part, Miss Aubrey, I have one communication to make to you. I have means, I declare to you, to restore it openly and honorably, by process of law—immediately, permanently. Before God, madam, I speak the truth."

Trusting in Providence.

Miss Aubrey seemed struggling to suppress a deep sigh, and pressed her hands over her heart.

"You are ill, madam," said Gammon. "I pray you sit until another opportunity. I really have the power to keep your brother not only from jail, but to restore him to Yattton. This rests with you."

"Must my brother and his family perish because I reject your suit? Then be it so. I trust in a merciful Providence. It is cruel, it is shocking that, if you know my brother is really entitled to the estate, that you—why do I talk? It is high time you left me, sir."

Gammon took his departure, saying: "Madam, you are obeyed."

Mr. Runnington was present when Kate told of this, and he thought at once that some criminal mystery lay behind it.

He filed a caveat against the posting of letters of administration in the Stratton case to Tittlebat Titmouse, which local operation threw the case into the Ecclesiastical Courts, which, in England, have or had, jurisdiction in cases of probate litigation.

Now the Ecclesiastical Courts are served by a number of people called proctors, who would seem to be a sort of detectives, for they pry into everything relating to the case at issue closely, making their investigations quietly but very thoroughly.

And matters of pedigree are their "long suit."

Troubles for Titmouse.

Meantime Titmouse was getting heavier and heavier into debt. He even mortgaged the Yattton property for £50,000—£50,000 a year was too small an income for Mr. Tittlebat Titmouse to live upon.

Mr. Gammon began to fear that he was not getting his share of the plunder—the spendthrift would spend too much if not looked after. He demanded that rental assignment of £2000 a year upon the Yattton estate be given him.

"What for?" asked Titmouse—and then an angry altercation ensued, during which Mr. Gammon told things to Mr. Titmouse concerning the latter's true position, that made Titmouse give the required assignment of rent charge.

Meantime Lord Tredclington was having his own troubles.

One morning his lordship was started to read in his morning paper that one of the companies in which he was much interested, a company the managing director of which had, the day before, given him a magnificent dinner—the Artificial Rain Company, in short—had, as it were, evaporated.

And that hospitable managing director, Sir Sharper Bubble, had "skipped" with the funds.

Startling News.

He drove to the office of the late lamented company and found them deserted. He drove to the late company's bankers in Lombard street, and as soon as he walked up to the window and said "Artificial Rain Company" the paying teller replied shortly: "Account closed," and turned away to wait upon some one else.

He drove to the office of Quirk, Gammon & Snap, and was shown into Mr. Gammon's chambers. Mr. Gammon was not in the room and the earl sat down to wait.

Suddenly his eye caught sight of a

The old man was taken to his house. His daughter, Lady Cecilia, was there before him.

He told her that she had been given a part of her own name by the creditors and the creditors of her husband, Titmouse. She had come to her father's home to meet with this new source of trouble and sorrow.

Gammon Reproaches Himself.

Gammon was angry with himself for having twice let out a secret which might have kept to better advantage to himself.

In the case of Kate Aubrey, passion had caused him to give a clue which he now saw had become a clue, and which was being followed up by the proctors of the Probate Court.

In the case of Lord Tredclington, anger had caused him to let out the fatal secret of the illegitimacy of Titmouse.